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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY  
DOCKET NO.

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IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :  
:   
HARVEY NATHAN LURIE, D.M.D. :  
:   
TO PRACTICE DENTISTRY IN THE :  
STATE OF NEW JERSEY :  
:

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Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey Board of Dentistry ("Board") by way of an Order to Show Cause and Administrative Complaint filed on August 9, 1989 and an Amended Administrative Complaint filed on November 16, 1989 by Peter N. Perretti, Jr., Attorney General of New Jersey, by Anne Marie Kelly, Deputy Attorney General alleging in Count I that Dr. Lurie wrote prescriptions for Percodan and Percocet (Schedule II Controlled Dangerous Substances) in the name of another for his own personal consumption; in Count II that respondent ordered various Schedule II Controlled Dangerous Substances which were grossly disproportionate to appropriate dental need and used some of these drugs for personal consumption; in Count III that Respondent prescribed

various Controlled Dangerous Substances and a prescription legend drug (PLD) which were not identified in his records, in Count IV that respondent prescribed a prescription legend drug and Class IV Controlled Dangerous Substances to G.L. without dental justification in Count V that respondent prescribed a prescription legend drug to P.L. without dental justification and in Count VI that respondent ordered various prescription legend drugs which were not in the usual course of a dentist's practice to prescribe, possess or dispense. An interim Consent Order was entered on September 13, 1989 providing inter alia a psychological evaluation of Dr. Lurie which concluded that he does not appear to have a drug dependancy problem and recommended random urine monitoring two times a week. The Board having thoroughly reviewed the entire record before it and it appearing that respondent's conduct and services repeatedly deviated from accepted standards of professional conduct;

AND it further appearing that Dr. Lurie waives a hearing on the complaint and desires to resolve this matter by consent;

IT IS ON THIS } /<sup>5<sup>th</sup></sup> DAY OF JULY, 1991

HEREBY ORDERED AND AGREED THAT;

1. Dr. Lurie shall be suspended from the practice of dentistry for a period of five years, four months of which shall be an active suspension. The periods during which Dr. Lurie's suspension shall be effective are:

8/1/91 through 9/30/91 and 8/1/92 through 9/30/92.

The remaining 4 years 8 months shall commence upon entry of the within Order and shall be deemed a period of probation during which Dr. Lurie shall comply with all statutory and regulating provisions dealing with

the practice of dentistry as well as the general laws of the State of New Jersey.

2. Dr. Lurie shall perform 460 hours of community service, which shall be completed by December 31, 1992. However said community service shall not be performed during the two month active suspension occurring in 1991. The location of the community service will be designated by the Board.

3. Dr. Lurie shall complete the course on drug abuse offered by the UMDNJ within one year following the entry of this order depending on course availability and shall submit documentation to the Board of his completion of the course. Dr. Lurie shall contact UMDNJ about course availability and enrollment requirements.

4. Dr. Lurie shall cease and desist from prescribing controlled dangerous substances and shall surrender his state and federal CDS permits and provide such documentation to the board of said surrender. Upon completion of the five year probationary period, Dr. Lurie shall apply in letter form to the Board requesting reinstatement of his CDS privileges.

5. During the five year probationary period, Dr. Lurie shall be assessed a civil penalty in the amount of \$5,000 which shall be paid to the Board of Dentistry in the form of a certified check or money order and sent to the attention of Agnes Clarke, Executive Director, Board of Dentistry, within 30 days of the entry of this order. If Dr. Lurie chooses to pay the aforesaid penalty in installments, a monthly payment schedule shall be authorized by the Board's Executive Director not to exceed 6 months. Any such schedule shall include interest at 8% per year.

6. Dr. Lurie is hereby reprimanded and cautioned that more serious penalties will be imposed in the event of a recurrence of the acts or practices which are the subject of this Order.

STATE BOARD OF DENTISTRY

By: William Cinotti  
William Cinotti, President

I have read and understood  
the within order and agree to  
be bound by its terms. Consent  
is hereby given to enter this Order

Harvey Nathan Lurie  
Harvey Nathan Lurie, D.M.D.

I hereby consent to the form  
and entry of the within order

Margaret P. Miller  
Margaret P. Miller, Esq.

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF LAW  
MEMORANDUM

Date: August 13, 1991

TO: Agnes Clarke, Exec. Dir.  
Board of Dentistry

FROM: Anne Marie Kelly, D.A.G.

SUBJECT: Harvey N. Lurie, D.M.D.

Enclosed please find Consent Order in the above-captioned matter for filing with the Board. It should be placed on the agenda for the next public meeting - informational purposes only.

  
A.M.K.

K/b